



05-10-04

IFW RCE \$1632

PTO/SB/30 (5/2000)

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**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,
provides for continued examination of an utility or plant application
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No	EV 335 859 742 US
Application Number	09/735,296
Filing Date	January 14, 2000
First Named Inventor	Chen et al.
Group Art Unit	1632
Examiner Name	Li, Qian Janice
Attorney Docket No.	6923-084

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.1. **Submission required under 37 C.F.R. § 1.114**

- a. ☐ Previously submitted
- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☒ Information Disclosure Statement (IDS)
- iv. ☒ Other Amendment Fee Transmittal; Revocation and Power of Attorney; Transmittal of Revocation and Power of Attorney

2. **Miscellaneous**

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of _____ months.
(Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other _____

3. **Fees** The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Jones Day Deposit Account No. 503013:
- i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 5770.00
- ii. ☒ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ 950.00 for a three (3) month extension, the request for which is being made herewith
- iii. ☐ Other _____
- b. ☐ Check in the amount of \$ _____ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Laura A. Coruzzi	Registration No. (Attorney/Agent)	30,742
Signature	Laura A. Coruzzi by <i>Andrew P. M...</i> Reg. No. 44,412	Date	May 7, 2004

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:

Commissioner For Patents, P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450, or by facsimile transmitted to fax no. 1-703- to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

+

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND Fees and Completed Forms to the following address: Commissioner for Patents P.O. Box 1450, Mail Stop RCE, Alexandria, VA 22313-1450.

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Express Mail No.: EV 335 859 742 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chen *et. al.*

Confirmation No.: 7224

Serial No.: 09/735,296

Art Unit: 1632

Filed: January 14, 2000

Examiner: Li, Qian Janice

For: COMBINATION THERAPY OF
CANCER BY THE ACTIVATION OF
CO-STIMULATORY MOLECULES
EXPRESSED BY IMMUNE CELLS
AND CYTOKINES

Attorney Docket No: 6923-084

AMENDMENT UNDER 37 C.F.R. § 1.114

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the final Office Action mailed on November 7, 2003, and in accordance with Rule 114 of the Rules of Practice, please enter the following amendments and consider the remarks below intended to put the claims into form for allowance. Applicants submit concurrently herewith: (1) a Petition for Extension of Time under 37 C.F.R. § 1.136(a) (in duplicate) for a period of three (3) months, from February 7, 2004 to and including May 7, 2004, accompanied by a provision authorizing payment of the appropriate fee; (2) a Request for Continued Examination (in duplicate); (3) an Amendment Fee Transmittal (in duplicate); (4) Exhibit A, Chen *et al.*, "Rejection of Disseminated Metastases of Colon Carcinoma by Synergism of IL-12 Gene Therapy and 4-1BB Costimulation", 2000, Mol. Ther. 2(1);39-46 (**Ref. AM** of record); (5) a Supplemental Information Disclosure Statement Under 37 C.F.R. § 1.56 and § 1.97; and (6) a Revised Form PTO-1449 listing references **C01-C03** with a copy of References **C01-C03**.

It is estimated that no additional fee is required for filing this Amendment. However, in the event that the U.S. Patent and Trademark Office determines that a fee is required, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this paper.

Remarks begin on page 6 of this paper.



Express Mail No. EV 335 859 742 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Chen et al. Confirmation No.: 7224

Serial No.: 09/735,296 Art Unit: 1632

Filed: January 14, 2000 Examiner: Li, Qian Janice

For: COMBINATION THERAPY OF CANCER BY THE ACTIVATION OF CO-STIMULATORY MOLECULES EXPRESSED BY IMMUNE CELLS AND CYTOKINES Attorney Docket No: 6923-084

FEE TRANSMITTAL SHEET

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		<input type="checkbox"/> SMALL ENTITY		<input checked="" type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA		RATE	ADDIT. FEE	OR	ADDIT. FEE
TOTAL	26	MINUS	64	0	x 9	\$		x 18	\$ 0.00
INDEP.	2	MINUS	4	0	x 43	\$		x 86	\$ 0.00
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM						\$			\$ 0.00
TOTAL						\$		OR TOTAL	\$ 0.00

Please charge the required fee to Jones Day Deposit Account No. 503013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: May 7, 2004

Laura A. Coruzzi 30,742
Laura A. Coruzzi (Reg. No.)
JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosure

By: *Ang P. Wu*
Reg. No. 44,412